# TEXAS DEPARTMENT OF CRIMINAL JUSTICE

# PD-79 (rev. 7), "EMPLOYEE TRANSFERS AND REASSIGNMENTS" AUGUST 1, 2010

# TABLE OF CONTENTS

<u>SEC</u>	<b>TION</b>			PAGE NUMB	ER
<u>AUT</u>	HORI	<u>ΓΥ</u>	•••••		1
APP	<u>LICAB</u>	<u>ILITY</u>	•••••		1
<u>EMI</u>	PLOYM	IENT A	AT WI	LL CLAUSE	1
POL	ICY ST	TATEM	IENT.		1
<u>DEF</u>	INITIC	<u> NS</u>			1
<u>PRO</u>	CEDU	<u>RES</u>			
I.	Gene	ral Prov	visions		3
II.	Transfers to Posted Positions				4
III.				ments from a Non-Correctional Position to a Correctional	1
	A.			of Request for Reassignment	
	В.			Evaluations	
	C.	TDC	J Corre	ectional Institution Division's Pre-Service Training Academy	
	D.			rom Employment	
IV.	Volu	ntary C	orrectio	onal Officer Transfers to a Different Location	5
	A.			ency Transfer Requests	
		1.	Limi	tations	5
		2.		mitting a Request	
		3.		nan Resources Representative Responsibilities	
		4.	Tran	sfer List	
			a.	Sections One through Six	
			b.	Section Seven	
		5.	Tran	sfer Approval	
			a.	Sections One through Six	
			b.	Section Seven	7

	B.	Emergency Transfer Requests	8		
		1. General Provisions			
		2. Reasons for Emergency Transfers	8		
		3. Submission of the PERS 195, Request for Transfer			
		4. Human Resources Representative Responsibilities			
		5. Emergency Transfer Committee Decision			
		6. Resubmission of Denied Transfer Request			
		7. Placement on Transfer List			
	C.	Transfer Announcement			
	D.	Transfer Approved While in Leave Status or Temporary Alternate Duty Assignment			
• •	** 1		10		
V.		ntary Part-time to Full-time or Full-time to Part-time Correctional Officer	1.1		
		sfers			
	A.	Limitations			
	B.	Submitting a Request			
	C.	Approval			
	D.	Notification	12		
VI.	Correctional Officer Reassignment and Transfer Cancellations				
	A.	Transfer Cancellations Due to a Move to Another Position			
	В.	Employee-Requested Cancellations			
		1. Prior to Reassignment or Transfer Announcement			
		2. After a Reassignment or Transfer Announcement	13		
VII.	Distr	ict Parole Officer (DPO) Transfers	13		
	A.	District Parole Officer I and II	13		
		1. Limitations	13		
		2. Submitting a Request	14		
		3. Human Resources Representative Responsibilities			
		4. Transfer List	14		
		a. Sections One through Five	14		
		b. Section Six	14		
		5. Approval of Transfer	15		
		a. Sections One through Five			
		b. Section Six			
	B.	District Parole Officer III and Above			
VIII.	Adm	inistrative Reassignments	15		
	A.	Reasons for an Administrative Reassignment			
	В.	Management Approval for an Administrative Reassignment			
	۵.	1. Within the Same Unit/Department			
		2. Between Different Units/Departments, or Parole Offices Within	10		
		the Same Region and Division	17		
		410 Duille INEGIOII ullu DI 1 1010II	/		

	3.	Between Different Regions Within the Same Division	.17
	4.	Between Different Divisions	.17
	5.	Administrative Reassignment to or from a Dual-Supervision	
		Positions	.17
C.	Notific	eation of an Administrative Reassignment	.17
D.		ncement of an Administrative Reassignment	
Attacl	hment A	PERS 379, Request for Reassignment (Non-Correctional to Correctional	
		Officer Position) (08/10)	
Attacl	hment B	PERS 195, Request for Transfer Correctional Officer to Correctional	
		Officer or Parole Officer to Parole Officer (08/10)	
Attacl	hment C	PERS 427, Request to Transfer from Part-Time to Full-Time Correctional	
		Officer Status (08/10)	
Attacl	hment D	Location/Unit List By Human Resources Region and Location (08/10)	
Attacl	hment E	Location/District Parole Office List By Parole Division Region and	
		Location (08/10)	



TEXAS DEPARTMENT NUMBER: PD-79 (rev. 7)

OF DATE: August 1, 2010

CRIMINAL JUSTICE PAGE: 1 of 25

**SUPERSEDES:** PD-79 (rev. 6)

March 1, 2004

# **EXECUTIVE DIRECTIVE**

**SUBJECT:** EMPLOYEE TRANSFERS AND REASSIGNMENTS

**AUTHORITY:** Texas Government Code § 493.007

Reference: American Correctional Association (ACA) Standard: 4-4062

**APPLICABILITY:** Texas Department of Criminal Justice (TDCJ)

# **EMPLOYMENT AT WILL CLAUSE:**

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The TDCJ reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the executive director's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the TDCJ and **do not** create any legally enforceable interest or limit the executive director's, deputy executive director's, or division directors' authority to terminate an employee at will.

#### **POLICY:**

The TDCJ shall promote equal employment opportunity through a process designed to transfer and reassign employees without regard to race, color, religion, sex (gender), national origin, age, disability, genetic information, or Uniformed Services status. The TDCJ has zero tolerance for all forms of employment discrimination. No employee shall be subjected to harassment or retaliation for opposing or reporting employment discrimination.

### **DEFINITIONS:**

"Administrative Reassignment" is a lateral transfer or voluntary demotion initiated and approved by TDCJ management upon determination that such an action is in the TDCJ's best interest. The employee shall meet the minimum qualifications of the position to which the employee is being reassigned, be able to perform the essential functions of the position, and be otherwise eligible for placement in the position (e.g., no nepotism violation). "Bonus Recipient," for the purpose of this directive, is a newly-hired full-time correctional officer (CO), including a rehired TDCJ retiree or former TDCJ employee, who meets the eligibility criteria as stated in this directive and enters into the Correctional Officer Recruitment Bonus Contract accepting the recruitment bonus payment and assignment to a designated understaffed correctional facility.

"Dual-Supervision Position" is a position that is customarily departmentally budgeted, located at a unit or a Correctional Institutions Division (CID) regional director's office, and reports to the department head for technical supervision and to the warden or CID regional director for administrative supervision.

"Emergency Transfer Committee" is a committee responsible for reviewing and approving or disapproving correctional officer emergency transfer requests. The committee consists of a CID regional director and representatives from the Human Resources Division, the Health Services Division, and other departments as needed.

"Full-Time Correctional Officer" is a CO employed to regularly work: (1) a minimum of 41 hours and 15 minutes during a seven-day work cycle; (2) a minimum of 48 hours during an eight-day work cycle; or (3) a minimum of 52 hours and 30 minutes during a nine-day work cycle.

"Health Care Provider" is a doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist, optometrist, chiropractor, licensed acupuncturist, nurse practitioner, nurse midwife, or clinical social worker who is performing within the scope of their practice as defined under state law, any health care provider recognized under the Texas Employees Group Benefits Program, or a Christian Science practitioner listed with the First Church of Christ, Scientist in Boston, Massachusetts.

"Immediate Family," for the purpose of this directive, includes those individuals who reside in the same household with the employee and are related by kinship, adoption, or marriage, or are certified by the Texas Department of Family and Protective Services as a foster child. A child, parent, or spouse of an employee shall be considered immediate family for purposes of this directive, whether or not they are living in the same household with the employee.

"Lateral Transfer" is a change in the duty assignment from one classified position to another position of like or different classification in a salary group with the same minimum salary rate and with similar levels of responsibility.

"Non-Correctional Position" is a position that is not a CO or supervisor of COs.

"Part-Time Correctional Officer" is a CO who is employed to regularly work 20 hours per work cycle.

"Promotion" is a change in duty assignment from one classified position to another classified position that: (a) is in a salary group with a higher minimum salary rate; (b) requires higher qualifications (e.g., greater skill or longer experience); and (c) involves a higher level of responsibility.

"Reassignment," for the purpose of this directive, is a promotion, lateral transfer, or voluntary demotion resulting from an administrative reassignment or a move from a non-correctional position to a CO position.

"Supervisor of Correctional Officers" includes the following positions: sergeant, lieutenant, captain, and major of COs, assistant warden, and warden.

"Technical Supervision" is the supervision of dual-supervised employees by supervisors responsible for ensuring the employees are trained to perform specialized or technical essential functions (e.g., functions directly related to agriculture, human resources, or maintenance) and for evaluating and monitoring the employee's performance of such job duties.

"Transfer," for the purpose of this directive, is the voluntary demotion or lateral transfer of an employee: (a) from one non-correctional position to another non-correctional position; (b) from a CO or supervisor of COs position to a non-correctional position; (c) from a CO position at one location to a CO position at another location; or (d) from a part-time CO position to a full-time CO position or vice versa.

"Voluntary Demotion" is an employee-requested change in duty assignment from one classified position to another classified position in a salary group with a lower minimum salary rate. Voluntary demotions are requested by employees and are not due to the imposition of a penalty through disciplinary action.

## **PROCEDURES:**

- I. General Provisions
  - A. The TDCJ may transfer or reassign employees to meet the TDCJ's needs.
  - B. Employees on Disciplinary Probation or Pending Disciplinary Action
    - 1. An employee serving disciplinary probation may be administratively reassigned, granted a CO emergency transfer, or be eligible for any employee-requested transfer or reassignment that would result in a voluntary demotion.
    - 2. An employee serving disciplinary probation is not eligible for an employee-requested transfer or reassignment that would result in a lateral transfer or promotion until the employee has successfully completed the disciplinary probation period. If an employee has received a PERS 184, Notification of Employee Hearing in accordance with PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees," the final approval of an employee-requested transfer or reassignment that would result in a lateral transfer or promotion shall be placed on hold pending the outcome of the Employee Hearing. If the employee is not placed on disciplinary probation and is otherwise eligible for the transfer or reassignment, the action shall be approved.

# C. Transfer or Reassignment Effective Date/Payroll Status Change

All transfer and reassignment effective dates shall be in accordance with PD-72, "Employee Salary Administration." The human resources representative at the gaining unit or department shall be responsible for entering the payroll status change (PSC) into the Payroll Status Change Update (PSCUPD) screen of the TDCJ Payroll/Personnel System (PPS).

#### II. Transfers to Posted Positions

An employee applying for a lateral transfer or a voluntary demotion to a position posted under the guidelines of PD-71, "Selection System Procedures" shall submit a State of Texas Application for Employment in accordance with the instructions on the position posting. The employee shall meet the position's established minimum qualifications before or on the posting closing date.

# III. Voluntary Reassignments from a Non-Correctional Position to a Correctional Officer Position

A reassignment from a non-correctional position to a CO position may consist of a promotion, lateral transfer, or voluntary demotion. A reassignment resulting in a promotion may occur at any time; however, an employee may laterally transfer or voluntarily demote from a non-correctional position to a CO position only once in any six-month period.

# A. Submission of Request for Reassignment

A non-correctional employee requesting a reassignment to a CO position (full-time or part-time) shall submit a completed PERS 379, Request for Reassignment (Attachment A) to the employee's human resources representative. The human resources representative shall provide a copy of the PERS 379 to the employee.

#### B. Criteria and Evaluations

Prior to a reassignment being approved, the non-correctional employee requesting a reassignment to a CO position shall be subject to the criteria and evaluation process established in PD-73, "Selection Criteria for Correctional Officer Applicants."

# C. TDCJ Correctional Institution Division's Pre-Service Training Academy (PSTA) Attendance

The employee shall attend the PSTA unless the employee meets one of the following conditions.

- 1. The employee held a TDCJ CO or supervisor of COs position within the 36-month period immediately preceding the move.
- 2. The employee previously attended the PSTA and attended the CID's inservice training within the 12-month period immediately preceding the move, to include qualification with firearms and participation in the practical aspects of chemical agent and defensive tactics curriculum during the in-service training.

# D. Separation from Employment

- 1. An employee who is required to attend the PSTA shall be subject to separation from employment if the employee:
  - a. Fails to have a negative pre-assignment drug test result;
  - b. Fails to qualify with firearms;
  - c. Fails to meet the academic standards established for all CO trainees; or
  - d. Violates the PSTA's rules or regulations in accordance with PD-33, "Trainee Management."
- 2. A non-correctional employee who is not required to attend the PSTA shall be subject to separation from employment if the employee fails to have a negative pre-assignment drug test result.

### IV. Voluntary Correctional Officer Transfers to a Different Location

# A. Non-Emergency Transfer Requests

#### 1. Limitations

- a. COs shall be employed by the TDCJ for a minimum of six consecutive months before they are eligible to request a transfer to a CO position at a different location with the exception of COs who received a recruitment bonus (see Section IV.A.d).
- b. A transfer request to a different location shall be to a full-time CO position.
- c. A CO may transfer to another CO position in a different location only once in any six-month period, unless:

- (1) The transfer is an approved emergency transfer in accordance with this directive; or
- (2) The human resources director, with the concurrence of the CID director, waives the six-month waiting period in order to staff new units or to achieve adequate CO staffing at an existing unit.
- d. Bonus recipients may request a voluntary transfer to another unit of assignment in a full-time CO position after the 12-month bonus period of the Correctional Officer Recruitment Bonus Contract is satisfied. Bonus recipients that receive an approved emergency transfer or administrative reassignment in accordance with this directive are entitled to keep the recruitment bonus without having to make repayment.
- e. At any point in time, a CO may have only one active transfer request.

## 2. Submitting a Request

- a. A CO requesting a transfer to a full-time CO position in a different location shall submit a completed PERS 195, Request for Transfer (Attachment B) with "Non-Emergency" checked to the CO's human resources representative.
- b. The CO shall indicate on the PERS 195, Request for Transfer the location to which the CO wants to transfer. The location shall be one of the locations identified on the Location/Unit List by Human Resources Region and Location (Attachment D). If there is more than one unit at the requested location, the TDCJ may transfer the CO to any unit within the requested location. However, the CO may indicate up to three units of choice in order of preference.

### 3. Human Resources Representative Responsibilities

The human resources representative shall submit the CO Transfer Request e-form to the Employment Section, Human Resources Division.

#### 4. Transfer List

The Employment Section shall maintain an automated transfer list and ensure the list is available to human resources representatives through INFOPAC.

The transfer list shall consist of seven sections.

#### a. Sections One through Six

Sections One through Six include one section for each of the six CID Regions and lists every CO who has requested a transfer to a location within the CO's current Human Resources Region. Within each section, the COs shall be listed in order by priority code (I, II, or III) and within each priority code by the date the PERS 195, Request for Transfer was submitted. The priority codes are based on the distance from the CO's current location to the requested location.

- (1) Priority I shall include distances of more than 75 miles.
- (2) Priority II shall include distances of 30-75 miles.
- (3) Priority III shall include distances less than 30 miles.

#### b. Section Seven

This section shall list every CO who has requested a transfer to a location within a different CID region. The list shall be in order of the date the PERS 195, Request for Transfer was submitted.

# 5. Transfer Approval

Transfers for eligible COs shall be approved based on the order of the transfer list. CO staffing levels at both the current and gaining units shall be considered. In order to maintain an adequate level of security staff at the current unit, a transfer may be delayed if the current unit's staffing level is significantly lower than the gaining unit's staffing level.

#### a. Sections One through Six

Transfers shall be approved by the appropriate CID regional director.

#### b. Section Seven

Transfers shall be approved by the Employment Section in consultation with the appropriate CID regional directors.

## B. Emergency Transfer Requests

#### 1. General Provisions

- a. A CO may submit an emergency transfer request regardless of how long the CO has been employed by the TDCJ or assigned to the CO's current unit of assignment.
- b. Emergency transfer requests are reviewed and either approved or denied by the Emergency Transfer Committee, which meets on a monthly basis or as needed.

# 2. Reasons for Emergency Transfers

- a. The Emergency Transfer Committee may consider an emergency transfer based on one of the following:
  - (1) The CO needs to assist in providing long-term care to a relative for a period longer than six months;
    - NOTE: Short-term care should be resolved by use of accrued time in accordance with the applicable TDCJ leave policy;
  - (2) The CO's dependent or spouse requires medical care that can only be provided at a different location;
  - (3) The CO is able to perform the position's essential functions at any unit; however, the CO requires long-term medical care that can only be provided at a different location;
  - (4) It is necessary to protect the CO against spousal abuse; or
  - (5) It is necessary for the protection of the CO's child.
- b. The Emergency Transfer Committee shall *not* normally consider an emergency transfer request that identifies one of the following as the reason for the transfer:
  - (1) Financial hardship;
  - (2) Conditions existing prior to the employee accepting an assignment to a particular unit, department, or area;

- (3) Situations the employee could easily have foreseen prior to the employee accepting an assignment to a particular unit, department, or area; or
- (4) Medical emergencies when there is no documentation attached from a health care provider.
- 3. Submission of the PERS 195, Request for Transfer

The CO shall submit a PERS 195, Request for Transfer with "Emergency" checked to the CO's human resources representative. The CO shall indicate on the PERS 195 the location to which the CO wants to transfer. The location shall be one of the locations identified on the Location/Unit List by Human Resources Region and Location. If there is more than one unit at the requested location, the TDCJ may transfer the CO to any unit within the requested location. However, the CO may indicate up to three units of choice in order of preference.

- a. If the emergency transfer request is based on the CO's medical condition or the CO's immediate family member's medical condition, the CO shall attach sufficient medical documentation from a health care provider to demonstrate a direct relationship between the medical condition and the CO's emergency transfer request.
- b. If the emergency transfer request is based on the need to protect the CO or the CO's child, the CO shall attach one of the following:
  - (1) Police report;
  - (2) Restraining order;
  - (3) Medical documentation; or
  - (4) Letters from community organizations or governmental agencies.
- 4. Human Resources Representative Responsibilities

The human resources representative shall forward a copy of the PERS 195, Request for Transfer and support documentation via fax, hand carry, or first class mail to the Employment Section.

# 5. Emergency Transfer Committee Decision

The Emergency Transfer Committee shall meet once a month or as needed to review CO emergency transfer requests and either approve or deny the requests. An e-mail message listing all the decisions made by the committee during a meeting shall be sent to the appropriate human resources representatives. The human resources representative shall notify the affected CO whether the committee approved or denied the CO's emergency transfer request. In addition, if the committee denied a CO's emergency transfer request, the Employment Section shall provide the CO with a written notification and explanation of the denial.

#### 6. Resubmission of Denied Transfer Request

An emergency transfer request denied by the committee may be resubmitted if a CO furnishes documentation reflecting a significant change in the situation since the previous denial.

#### 7. Placement on Transfer List.

A CO who has received an approved emergency transfer request shall be placed on the transfer list within the appropriate section. The emergency transfer request shall receive priority over all non-emergency requests. If the CO is listed in one of Sections One through Six, the request shall be coded as a Priority I request and the CO shall be placed ahead of all other COs with a Priority I non-emergency request. The CO shall be transferred as staffing allocations allow.

#### C. Transfer Announcement

The Employment Section shall announce all approved transfers.

# D. Transfer Approved While in Leave Status or Temporary Alternate Duty Assignment

- 1. If a human resources representative receives notice that a CO's requested transfer has been approved while the CO is in a leave status requiring a release to return to work or while the CO is performing a temporary alternate duty assignment in accordance with PD-45, "Workers' Compensation and Return to Work Program," the human resources representative shall immediately contact the Employment Section.
- 2. In such instances, the transfer shall be delayed until the CO provides a release to return to work (full duty) in accordance with the TDCJ leave policies. Upon receipt of the release to return to work, the transfer may be

further delayed if the release includes restrictions or limitations, transfers for the month have already been selected, or other staffing considerations affect the transfer.

- 3. The transfer shall be canceled if the CO, upon being released to return to work (full duty), is unable to perform the essential functions of a CO position.
- V. Voluntary Part-Time to Full-Time or Full-Time to Part-Time Correctional Officer Transfers

#### A. Limitations

- 1. The earliest opportunity a CO may request a transfer to a full-time or parttime position is upon completion of the pre-service on-the-job (OJT) training period.
- 2. A bonus recipient may request a voluntary transfer from a full-time CO position to a part-time CO position after the 12-month bonus period of the Correctional Officer Recruitment Bonus Contract is satisfied.
- 3. A CO may request such a transfer only to a position on the same unit the CO is currently assigned.
- 4. A part-time CO may temporarily transfer to a full-time CO position for a period not to exceed nine months (e.g., a college student who wants to work full-time during one or two college semesters).
- 5. A part-time CO may again temporarily transfer to a full-time CO position only after six months have lapsed from the end of the most recent transfer period.
- 6. In accordance with PD-72, "Employee Salary Administration," a part-time CO who is temporarily transferring to a full-time CO position is not eligible to advance to a CO IV or V position.
- 7. A part-time CO approved for permanent transfer to a full-time position may not transfer back to a part-time position except under the provisions of this section.
- 8. A transfer from a full-time CO to a part-time CO shall be effective on the first of the month. A temporary transfer from a part-time CO to a full-time CO shall be effective on the first of the month or, regardless of the unit's work cycle, on a Thursday (the beginning of the seven-day work cycle).

## B. Submitting the Request

If the request is to transfer from part-time to full-time, the CO shall complete a PERS 427, Request to Transfer from Part-Time to Full-Time Correctional Officer Status, (Attachment C). The CO shall indicate on the PERS 427 whether the CO is requesting a permanent or temporary transfer and submit the PERS 427 to the CO's human resources representative.

# C. Approval

- 1. Unit human resources representatives shall maintain a list of COs requesting transfers from part-time to full-time or from full-time to part-time. Transfers for such eligible COs shall be approved based on the date order received or in accordance with the needs of the TDCJ.
- 2. Transfers from full-time to part-time (e.g., full-time CO enrolls in an institution of higher education) shall be at the warden's discretion. Approval of a request to transfer to part-time shall depend on the availability of part-time positions and shortage of full-time COs on the unit.
- 3. If a request to temporarily transfer from part-time to full-time is approved, the human resources representative shall determine the full-time assignment ending date and ensure the CO does not work full-time for more than nine consecutive months

#### D. Notification

If a transfer is approved, the human resources representative shall, as soon as possible:

- 1. Notify the CO of the effective date and the CO's new work schedule; and
- 2. Send an e-mail notification to the Employment Section.

### VI. Correctional Officer Reassignment and Transfer Cancellations

#### A. Transfer Cancellations Due to a Move to Another Position

If a CO who has an active transfer request promotes, laterally transfers, or voluntarily demotes to another position, the transfer request shall be canceled and the CO's name shall be considered removed from the transfer list on the effective date of the promotion, lateral transfer, or voluntary demotion.

# B. Employee-Requested Cancellations

# 1. Prior to Reassignment or Transfer Announcement

To cancel a reassignment or transfer request prior to its announcement, an employee shall submit a written request for cancellation to the employee's human resources representative. The human resources representative shall e-mail the notification of the cancellation to the employment section director.

# 2. After a Reassignment or Transfer Announcement

To cancel a reassignment or transfer request after its announcement, an employee shall secure concurrence for the cancellation from the employee's current warden/department head and the gaining warden before the effective date of transfer.

Prior to the effective date of reassignment or transfer, the employee's current warden/department head and the gaining warden shall send a separate e-mail to the employment section director verifying concurrence of the cancellation. If the employment section director does not receive these verification e-mails prior to the payroll effective date, the reassignment or transfer shall occur as originally scheduled.

If an employee cancels a reassignment or transfer request after the reassignment or transfer has been announced, the employee shall be ineligible to request another reassignment or non-emergency transfer for six months (even if the employee secured concurrence for the cancellation from the current warden and the gaining warden/department head before the effective date of reassignment or transfer).

#### VII. District Parole Officer (DPO) Transfers

#### A. District Parole Officer I and II

#### 1. Limitations

- a. A DPO I or II shall be employed by the TDCJ for a minimum of six consecutive months before the DPO is eligible to request a transfer to a DPO position at a different location.
- b. A DPO I or II may transfer to another DPO position in a different location only once in any six-month period unless the parole regional director, with the concurrence of the parole director or parole deputy director, waives the six-month waiting period in order to achieve adequate staffing at a parole office.

- c. At any point in time, a DPO I or II may have only one active transfer request.
- d. A DPO I or II shall have met or exceeded performance standards on the DPO's most recent performance evaluation.

# 2. Submitting a Request

- a. A DPO I or II requesting a transfer to a DPO I or II position in a different location shall submit a completed PERS 195, Request for Transfer to the DPO's human resources representative.
- b. The DPO I or II shall indicate on the PERS 195, Request for Transfer the location to which the DPO wants to transfer. The location shall be one of the locations identified on the Location/District Parole Office List by Parole Division Region and Location (Attachment E). If there is more than one office at the requested location, the TDCJ may transfer the DPO to any office within the requested location. However, the DPO may indicate up to three offices of choice in order of preference.

#### 3. Human Resources Representative Responsibilities

The human resources representative shall submit the DPO Transfer Request e-form to the Region VII human resources coordinator.

#### 4. Transfer List

The Region VII human resources coordinator shall maintain a transfer list and ensure the list is available to human resources representatives monthly.

The transfer list shall consist of six sections.

#### a. Sections One through Five

Sections One through Five include one section for each of the five parole regions and list every DPO I or II who has requested a transfer to a location within the DPO's current region. Within each section, the DPOs shall be listed in order by date the PERS 195, Request for Transfer was submitted.

#### b. Section Six

This section shall list every DPO I or II who has requested a transfer to a location within a different parole region. The list shall be in order of the date the PERS 195, Request for Transfer was submitted.

# 5. Approval of Transfer

Transfers for an eligible DPO I or II shall be approved based on the order of the transfer list. DPO staffing levels at both the current and gaining offices shall be considered. In order to maintain an adequate level of DPO staff at the current office, a transfer may be delayed if the current office's staffing level is significantly lower than the gaining office's staffing level.

### a. Sections One through Five

The appropriate parole regional director shall approve transfers.

#### b. Section Six

In consultation with the appropriate regional directors, the parole deputy director shall approve transfers.

#### B. District Parole Officer III and Above

The transfer of a DPO III and above shall be in accordance with the procedures in Section VIII of this directive.

# VIII. Administrative Reassignments

An administrative reassignment is initiated and approved by TDCJ management when it has been determined the reassignment is in the TDCJ's best interest. An administrative reassignment shall consist of a lateral transfer or voluntary demotion. The employee shall meet the minimum qualifications of the position to which the employee is being administratively reassigned, be able to perform the essential functions of the position, and be otherwise eligible for placement in the position (e.g., no nepotism violation).

#### A. Reasons for an Administrative Reassignment

- 1. TDCJ management may consider an administrative reassignment for reasons that include, but are not limited to, the following:
  - a. The employee's spouse has been promoted to a position on a unit in another city;
  - b. An employee's spouse is transferred to another city by military orders:
  - c. The administrative reassignment is directed by Employee Relations based on an approved reasonable accommodation under the *Americans with Disabilities Act* (ADA);
  - d. To resolve inappropriate relationships on a unit (e.g., nepotism);

- e. The administrative reassignment is directed by the employee's division director or regional director as a result of a grievance;
- f. The administrative reassignment is recommended by the TDCJ Equal Employment Opportunity (EEO) Section;
- g. The administrative reassignment is necessary due to an imposed employee disciplinary action, particularly if the action included involuntary demotion from a supervisory position;
- h. To provide immediate physical protection of the employee or the employee's child; or
- i. Other personal reasons when it is determined to be in the TDCJ's best interest.
- 2. TDCJ management shall not administratively reassign an employee:
  - a. From a position that was posted as temporary to a vacant permanent position unless, immediately prior to accepting the temporary position, the employee held a permanent position in the same salary group as the vacant position.

NOTE: This limitation does not apply to an employee who competes and is selected for a permanent position with a temporary or "loaner" position number; such a position is not a temporary position. Such an employee may be assigned a permanent position number upon such a number becoming available. In addition, this limitation does not apply to an employee in a permanent position performing a temporary assignment; or

- b. In lieu of the CO non-emergency or emergency transfer process.
- B. Management Approval for an Administrative Reassignment
  - 1. Within the Same Unit/Department

Final approval shall be obtained from the warden/department head.

# 2. Between Different Units/Departments, or Parole Offices Within the Same Region and Division

Final approval shall be obtained from the appropriate manager II, regional director, or higher level of authority.

#### 3. Between Different Regions Within the Same Division

Final approval shall be obtained from the appropriate manager II (if applicable), the current and gaining regional directors, or higher level of authority.

#### 4. Between Different Divisions

Final approvals shall be obtained from the employee's current division director and the gaining division director, deputy executive director, or executive director.

# 5. Administrative Reassignment to or from a Dual-Supervision Position

Both the administrative and technical lines of supervision shall approve an administrative reassignment to and from a dual supervision position. The level of authority required for the approval shall be the same as the levels defined above in paragraphs one through four above.

# C. Notification of an Administrative Reassignment

#### 1. Correctional Officer I-V

When an administrative reassignment occurs between different units, departments, or regions, the appropriate CID regional director or designee shall send an e-mail to the Employment Section. The e-mail shall include the reassigned employee's name, social security number, current position information (number, payroll title, unit), new position information (number, payroll title, unit), the effective reassignment date, and the names and titles of the TDCJ officials who approved the administrative reassignment.

## 2. All Other Positions

The gaining human resources representative shall generate a Request to Fill e-form. After obtaining budget approval, the human resources representative shall contact the selection system administrator for guidance.

Announcement of an Administrative Reassignment D.

> If the administrative reassignment involves a move to a different unit/department, the Employment Section shall:

- 1. Provide a written announcement to the appropriate staff; and
- 2. Maintain the written announcement as a record of the administrative reassignment.

**Brad Livingston** 

Executive Director

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE

# **Request for Reassignment**

(Non-Correctional to Correctional Officer Position)

NAME	:			SSN:		
Please P	rint: Last	First	MI			
CURRI	ENT MAILING ADDRESS:					
		Street or P.O. Box	(	City	State	Zip Code
CURRI	ENT JOB TITLE:	Gl	ROUP: SALAR	Y RATE:	CURRENT UNIT/DEPT:	
•	EST REASSIGNMENT TO ER POSITION AT:	A   PART-TIME CC	ORRECTIONAL OFFICE	ER POSITION OR	☐ FULL-TIME CORRE	CTIONAL
OFFIC	ERTOSITION AT.	(Indicate one unit)	<u></u>			
COND	ITIONAL AGREEMENT:					
1. I c	ertify that I have not laterall	y transferred or voluntar	rily demoted from a non-	correctional position	on to a CO position within t	he past six

- months.
- I certify that I meet the basic eligibility criteria for a CO position included in PD-73, "Selection Criteria for Correctional Officer Applicants."
- If my reassignment is approved and I accept a position as a CO, I understand and agree to the following:
  - I shall abandon my non-correctional position and have no right or entitlement to return to that position.
  - I shall be required to attend the TDCJ Correctional Institutions Division's Pre-Service Training Academy (PSTA) unless:
    - Within the 36-month period immediately preceding the move:
      - (a) I served in a TDCJ CO or supervisor of COs position; or
      - (b) I completed all the requirements of the PSTA, qualified with firearms, and participated in chemical agent and defensive tactics training.
    - (2) Within the 12-month period immediately preceding the move, I attended in-service training, qualified with firearms, and participated in the practical aspects of chemical agents and defensive tactics curriculum during the in-service training.
  - I shall be subject to separation from employment if I:
    - (1) Fail to have a negative pre-assignment drug test result;
    - (2) Am required to attend the PSTA and I:
      - (a) Fail to qualify with firearms;
      - (b) Fail to meet the academic standards established for all CO trainees; or
      - (c) Violate the PSTA's rules or regulations.
  - d. If I am on disciplinary probation, I shall not be eligible for a reassignment until the end of my disciplinary probation period.
  - If I have received a Notification of Employee Hearing in accordance with PD-22, "General Rules of Conduct and Disciplinary Action Guidelines for Employees," the final approval of my reassignment shall be placed on hold pending the outcome of the hearing. If I am not placed on disciplinary probation and I am still eligible for reassignment, my reassignment shall be approved.

**Employee Signature** Date (mm/dd/yyyy)

NOTE TO EMPLOYEE: With few exceptions, you are entitled upon request: (1) to be informed about the information the TDCJ collects about you; and (2) under Texas Government Code §§ 552.021 and 552.023, to receive and review the collected information. Under Texas Government Code §59.004, you are also entitled to request, in accordance with TDCJ procedures, that incorrect information the TDCJ has collected about you be corrected.

Distribution:

Original: Unit/Department Human Resources Employee File (Employment Section)

Copy: **Employee** 

Fax Copy: Employment Section at (936) 437-3111

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE **Request for Transfer**

### **Correctional Officer to Correctional Officer**

#### **Parole Officer to Parole Officer**

NAME:			SSN:	
NAME: Please Print: Last	First	MI		
MAILING ADDRESS:				
		City	State	Zip Code
OB TITLE:	UNIT	C/OFFICE:	GROUP/SALARY RATE:	
CO locations listed at Attachment	D, PD-79; PO locations	listed at Attachment E.	•	3)
CO locations listed at Attachment JNITS/OFFICES OF PREFERENCE	D, PD-79; PO locations CE, if more than one uni	listed at Attachment E, t at this location: 1)	2)	3)
CO locations listed at Attachment JNITS/OFFICES OF PREFERENCE Depending on TDCJ needs, you man	D, PD-79; PO locations CE, if more than one unity be transferred to any u	listed at Attachment E, t at this location: 1)	2)	
CO locations listed at Attachment JNITS/OFFICES OF PREFERENG Depending on TDCJ needs, you ma REASON FOR TRANSFER (if em	D, PD-79; PO locations CE, if more than one unitary be transferred to any unergency):	listed at Attachment E, t at this location: 1) unit/office within the re	2)	
REQUEST TRANSFER TO (Local CO locations listed at Attachment UNITS/OFFICES OF PREFERENCE Depending on TDCJ needs, you make the properties of TRANSFER (if emports of LAST TRANSFER:DATE OF HIRE:DATE OF HIRE:	D, PD-79; PO locations CE, if more than one unitary be transferred to any undergency):  FRO	listed at Attachment E, t at this location: 1)	2)	it/office):
CO locations listed at Attachment JNITS/OFFICES OF PREFERENCE Depending on TDCJ needs, you make REASON FOR TRANSFER (if emported of LAST TRANSFER:	D, PD-79; PO locations CE, if more than one unitary be transferred to any undergency):  FRO	listed at Attachment E, t at this location: 1)	2)	it/office):

- canceled and my name shall be considered removed from the transfer list.
- I may cancel this request for transfer by contacting my unit human resources representative in writing. However, if my transfer is announced: (a) it shall be canceled only with the concurrence of both the current and gaining wardens or regional parole directors; and (b) I shall be ineligible to request another transfer for six months.
- I understand that my transfer may be delayed if the current unit's/parole office's CO/PO staffing level is significantly lower than that of the gaining unit/parole office.
- If I am on disciplinary probation when my name reaches the top of the transfer list, I shall not be eligible for transfer until the end of my disciplinary probation period.
- 6. If I have received a PERS 184, Notification of Employee Hearing when my name reaches the top of the transfer list, final approval of my transfer shall be placed on hold. If I am not placed on disciplinary probation and I am still eligible for transfer, my transfer shall be approved.
- 7. If I desire a transfer to another location after the effective date of my transfer, I shall submit a new request for transfer in accordance with the procedures of PD-79.

Employee Signature	Date (mm/dd/yyyy)

NOTE TO EMPLOYEE: With few exceptions, you are entitled upon request: (1) to be informed about the information the TDCJ collects about you; and (2) under Texas Government Code §§ 552.021 and 552.023, to receive and review the collected information. Under Texas Government Code § 559.004, you are also entitled to request, in accordance with TDCJ procedures, that incorrect information the TDCJ has collected about you be corrected.

**Instructions for the human resources representative:** If this is an emergency transfer request, send this form and any support documentation via fax, hand carry or first class mail to the Employment Section, Human Resources Division.

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE Request to Transfer from Part-Time to Full-Time Correctional Officer Status

Name	e:			Month/Day of Birth:
Please P	rint: Last	First	MI	(mm/dd)
Unit o	of Assignme	ent:		
	permanent position as position m	transfer to a full-time C a full-time CO, I unde	CO position. If erstand and ack	a part-time CO and I am requesting a my transfer is approved and I accept a nowledge that my former part-time CO e that a part-time CO position will be
	temporary	transfer to a full-time Co	O position for a	a part-time CO and I am requesting a period of nine months or less. I would to
	acknowled stipulation position. I	ge that I shall not be of shall apply even if I ot	eligible to adva therwise meet th	n as a full-time CO, I understand and nce to a CO IV or V position. This he eligibility criteria for a CO IV or V porarily to a full-time CO position only
EMPI	LOYEE'S S	SIGNATURE		DATE (MM/DD/YYYY)
the TD collecte	CJ collects abed information	out you; and (2) under Texas	Government Code § Code § 559.004, you	request: (1) to be informed about the information §§ 552.021 and 552.023, to receive and review the are also entitled to request, in accordance with rout you be corrected.
Distrib Origina Copy:		artment Human Resources En	mployee File (Emp	oyment Section)

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE Location/Unit List By Human Resources Region and Location

<b>Location</b>	Location <u>Code</u>	<u>Unit(s)</u>
HR Region I:		
Diboll	DIB	Duncan
Huntsville Inside	HVI	Byrd, Goree, Holliday, Huntsville, Wynne
Huntsville Outside	HVO	Eastham, Ellis, Estelle, Ferguson
Jasper	JAS	Goodman
Livingston	LIV	Polunsky
Woodville	WDV	Lewis
HR Region II:		
Bonham	BON	Cole, Moore
Hutchins	HUT	Hutchins Hutchins
New Boston	NBO	Telford
Palestine	PAL	Beto, Coffield, Gurney, Michael, Powledge
Rusk	RUS	Hodge, Skyview
Teague	TEA	Boyd
Winnsboro	WIN	<u>Johnston</u>
HR Region III:		
Angleton	ANG	Scott
Beaumont	BEA	Gist, LeBlanc, Stiles
Brazoria	BRZ	Clemens
Dayton	DAY	Henley, Hightower, Plane
Galveston/Dickinson	GAL	Hospital, Young
Humble	HUM	Lychner, Kegans
Rosharon	ROS	Darrington, Ramsey I, Stringfellow, Terrell
Sugar Land/Richmond	SGL	Central, Jester I, Jester III, Jester IV, Vance

TIT	<b>T</b>	<b>TT</b> 7
нк	RAGIA	n IV·
111/	Region	

Beeville	BEE	Garza East, Garza West, McConnell
Cuero	CUE	Stevenson
Dilley/Cotulla	DIL	Briscoe, Cotulla
Edinburg	EDI	Lopez, Segovia
El Paso	ELP	Sanchez
Fort Stockton	FTS	Fort Stockton, Lynaugh
Hondo	HON	Ney, Torres
Vanady	VEN	Connelly

HondoHONNeyTorresKenedyKENConnallySan AntonioSAADominguezSan DiegoSADGlossbrenner

# **HR Region V:**

Amarillo	AMA	Clements, Neal
Brownfield	BRF	Rudd
Childress	CHI	Roach
0 1 1 0'	COL	337 11 337

Colorado City Wallace, Ware COL Dalhart Dalhart DAH Lamesa LAM Smith Lubbock LUB Montford PAM Jordan, Baten Pampa Plainview PLA Formby, Wheeler

Snyder SNY Daniel
Tulia TUL Tulia
Wichita Falls WIF Allred

# **HR Region VI:**

Abilene	ABI	Middleton, Robertson
Austin	AUS	<u>Travis County</u>
Breckenridge	BRE	<u>Sayle</u>
Brownwood	BRW	<u>Havins</u>
Bryan	BRY	Hamilton
Burnet	BUR	<u>Halbert</u>
Gatesville	GAT	Crain, Hilltop, Hughes, Mountain View,
		Murray, Woodman
Marlin	MAR	Hobby, Marlin
Navasota	NAV	Luther, Pack
San Saba	SAS	San Saba

NOTE: State jail facilities are underlined. Unit shift information (i.e., 12-hour shift, 8:45-hour shift) is available on the TDCJ website at www.tdcj.state.tx.us.

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE Location/District Parole Office List By Parole Division Region and Location

<b>Location</b>	Location Code	Office(s)
Region I:		
Athens	AT	
Beaumont	BT	
Orange	OR	
Bryan	BR	
Conroe	CN	
Huntsville	HU	
Greenville	GN	
Longview	LV	
Marshall	MA	
Tyler	TY	
Mt. Pleasant	MT	
Nacogdoches	NG	
Paris	PS	
Texarkana	TK	
Region II:		
Dallas	DS	D1, D2, D3, D4, D5
Waxahachie	WX	
Fort Worth	FW	F1, F2, F3
Denton	DT	
Sherman	SH	
Mineral Wells	MW	
D : III		
Region III:	TINI	111 112 112 114 115 116 117
Houston	HN	H1, H2, H3, H4, H5, H6, H7
Angleton	AN	
Liberty	LI	
Rosenberg	RR	
Galveston	GA	

<b>T</b>	<b>TT</b> 7
Ragion	I <b>\</b> / •
Region	

Austin ΑU AU, A2 Georgetown GE Temple TMWaco WA San Antonio SA S1, S2, S3 Corpus Christi CH

Del Rio DE Harlingen HA McAllen ED Laredo LR SE Seguin Victoria VI

# **Region V:**

Abilene AB Amarillo AM Big Spring BG Brownwood BWEP, EL El Paso Lubbock LB Midland MD Odessa OD Monahans MO Plainview PV SG San Angelo Wichita Falls WF